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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PETER J. VOGGENTHALER, at al.,
Plaintiffs,
v.
MARYLAND SQUARE, LLC, et al.,
Defendants,

AND RELATED CROSS CLAIMS AND THIRD
PARTY CLAIMS

STATE OF NEVADA, DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES, et al.,
Plaintiffs,
v.
MARYLAND SQUARE SHOPPING CENTER,
et al.,
Defendants

AND RELATED THIRD PARTY CLAIMS

Case No. 2:08-cv-01618-RCJ-GWF
(consolidated with 3:09-cv-00231-RCJ-
GWF)

**STIPULATION AND ORDER
REGARDING PROPOSED PLAN**

The Court held a Status Conference on Monday, July 7, 2014, to address outstanding issues including the stay currently in place pursuant to the Parties' request for additional time to negotiate a settlement granted by Minute Order on February 13, 2014. The Parties

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represent that litigation matters are pending complete resolution in these consolidated cases, and that the Parties are working toward full implementation of the Permanent Injunction and remedial action. The Court has retained jurisdiction over the enforcement of the Permanent Injunction entered in these Consolidated Cases, including approval of the Proposed Plan.

At the July 7, 2014 Status Conference, the Parties agreed to confer and submit a joint order regarding the timeframe for submittal of the Proposed Plan and a briefing schedule for any objections to the Plan. Therefore,

The undersigned Parties stipulate and agree as follows: NDEP shall prepare the Proposed Plan identified in the Permanent Injunction. NDEP shall submit the Proposed Plan to the Court for approval on or before July 28, 2014. Any party or person objecting to the Proposed Plan shall file and serve an objection no later than August, 18 2014. Any response in support of the Proposed Plan shall be filed on or before September 8, 2014. The Court will conduct a status conference on September 25, 2014, for purposes of considering the Proposed Plan. If necessary, the Parties will present any evidence in support of or in objection to the Proposed Plan at the September 25 hearing.

DATED this 18th day of July, 2014.

CATHERINE CORTEZ MASTO
Attorney General

By: /s/ Wayne Klomp
Wayne Klomp
*Attorneys for Nevada Division
of Environmental Protection*

DONGELL LAWRENCE FINNEY LLP

By: /s/ Thomas F. Vandenburg
Thomas F. Vandenburg
*Attorneys for Defendants Maryland
Square Shopping Center, LLC, the
Herman Kishner Trust d/b/a Maryland
Square Shopping Center, Irwin Kishner,
Jerry Engel, and Premier Trust as
trustees for The Herman Kishner Trust*

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LAW OFFICES OF NEIL J. BELLER

By: /s/ Neil J. Beller
Neil J. Beller
Attorneys for Defendants Patricia Leibovici, in her capacity as special administrator of the Estate of Melvin Shapiro, Estate of Phillip Shapiro, and Shapiro Brothers Investment Co.

BENESCH FRIEDLANDER COPLAN &
ARANOFF, LLP

By: /s/ Jeremy Gilman
Jeremy Gilman
Attorneys for Defendants Patricia Leibovici, in her capacity as special administrator of the Estate of Melvin Shapiro, Estate of Phillip Shapiro, and Shapiro Brothers Investment Co.

FRANKLIN LEVY

By: /s/ Franklin Levy
Franklin Levy
Attorneys for Defendant Maryland Square, LLC

ROBERTSON & ASSOCIATES, LLP

By: /s/ Alexander Robertson, IV
Alexander Robertson, IV
Attorneys for Plaintiffs

GREBEN & ASSOCIATES

By: /s/ Jan A. Greben
Jan A. Greben
Attorneys for Plaintiffs

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT JUDGE

Dated: _____

CERTIFICATE OF SERVICE

I, Linda Deming, certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 18th day of July, 2014, I electronically filed the foregoing, **STIPULATION AND ORDER REGARDING PROPOSED PLAN**, via electronic filing to which the Clerk of the Court will notify the following via their internet and/or email address:

/s/ Linda Deming
Linda Deming, Legal Secretary II
an employee of the Office of the
Nevada Attorney General